

## **EXHIBIT J**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE: : Master File  
: No. 1:00-1898  
Methyl Tertiary : MDL No.: 1358  
Butyl Ether ("MTBE") : (SAS) M21-88  
Products Liability :  
Litigation :

In Re: City of New York

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CONFIDENTIAL (PER 2004 MDL 1358 ORDER)

May 4, 2009

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Videotape deposition of DANIEL C.  
WALSH, Ph.D., held in the offices of  
McDermott Will & Emery, 340 Madison  
Avenue, New York, New York 10173,  
commencing at 9:45 a.m., on the above  
date, before Linda Rossi Rios, RPR, CCR  
and Notary Public.

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1 on petroleum sites involve source removal  
2 at the origin of the pollution, either a  
3 tank, a spill of soil -- a spill of  
4 petroleum in the soil around the tank.  
5 And occasionally treatment through some  
6 form like CHEMOX in the -- in the on-site  
7 area in the vicinity of the tank pull.

8           It's not uncommon for  
9 groundwater contamination to leave the  
10 property, but it is very uncommon for  
11 that contamination to be chased by the  
12 responsible party. There are a variety  
13 of reasons for that. New York City, I'd  
14 say the biggest single reason is the  
15 density of population, the difficulty of  
16 off-site sampling. Commonly samples are  
17 collected -- there's an identification of  
18 off-site impact, but the remedy is, as a  
19 practical matter, beyond the reach of the  
20 project. And there are cases where the  
21 investigation isn't sufficient to fully  
22 identify the reach of contamination.

23           There are a variety of other  
24 factors that influence New York City,